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# MEMO ENDORSED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

JOSE LUIS MONTANEZ,

Plaintiff,

vs.

Civil Action No.:  
1:23-CV-00370-ALC

COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION,

Defendant.

X

**PLAINTIFF'S NUNC PRO TUNC MOTION FOR AN**  
**EXTENSION OF TIME TO FILE PLAINTIFF'S MOTION FOR JUDGMENT**  
**ON THE PLEADINGS AND MEMORANDUM IN SUPPORT**

PLEASE TAKE NOTICE that upon all the prior proceedings heretofore filed Plaintiff moves this Court, on submission, for an Order granting Plaintiff an extension, *nunc pro tunc*, to file his motion for judgment on the pleadings to April 20, 2023.

Plaintiff's brief was due on April 19, 2023 however, due to a technical failure of my calendaring and email application (Outlook) the motion and brief in support were not timely filed under the schedule and the missed deadline was not discovered until April 20, 2023. In light of this error, Plaintiff kindly requests an extension, *nunc pro tunc*, to file her motion and brief as timely as of April 20, 2023.

Dated: April 20, 2023

Respectfully Submitted,

By: /s/ Louis R. Burko  
LOUIS R. BURKO  
Severance, Burko, Spalter, Masone, P.C.

The Clerk of Court is  
respectfully requested to  
terminate the pending  
motion at ECF No. 7

*Andrew L. Carter, Jr.*  
SO ORDERED:  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

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4/21/2023